Osberg v. Foot Locker, Inc., et al., 07-cv-01358 (KBF) (S.D.N.Y.)

Class's Opposition to Defendants' Motion *in Limine* to Exclude Testimony of Christopher Maikels

July 10, 2015

PX1271

PX1271

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MMCALC  (10)     REG0196B                        12/27/95    12:23:56                                              PAGE   1
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DO     DOCUMENTATION  (INFORMATION)
---------------------------------
 CLIENT:  FWW WOOLWORTH                           CODER:  C MAIKELS
 PROJECT: STATEMENTS                             TKS CODE:


DO     DOCUMENTATION  (NOTES)
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 CALCULATE ESTIMATED BENEFITS FOR 01/01/96 ESTIMATE REGISTER


OP     MMCALC OPTIONS
--------------------
       DB      VALUATION          SS       SAL LIMITS  EDIT DECK   TRACE CALCS  TRACE SS    REC #     LENGTH FOR     DECIMALS FOR
       NAME      DATE          LAW DATE     LAW YEAR   (BLANK, Y)  (BLANK, Y)   (BLANK, Y)  FOR TEST  UNDEF WRKFLDS  UNDEF WRKFLDS
       ----   ------------   ------------  ----------  ----------  -----------  ----------  --------  -------------  -------------
       CB95    1 /  1 / 95      /    /


O      SELECTION CRITERIA
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LINE   SELECTION CRITERIA
----   ------------------
   1    ESSN.EQ.269288395


DL     DATE LABELS
------------------
        DATE      '<'      MONTH       DAY         YEAR
LINE   LABEL      '>'      FIELD      FIELD        FIELD
----   --------   -----   ---------   ----------   ----------
   1   $BIRTH      <       MOB         DOB          YOB
```

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BC   BENEFIT CALCULATION

          GROUP   AS OF
LINE   FIELD   STATEMENT   DATE LABEL
----   ----------   -------------------------------------   ----------
```
    1                 DO SC(1)/SC(2)/SC(3)/SC(4)/SC(5)/SC(6)
    2                 *   GET 9% FACTOR
    3                 DO TL(1)/TL(2)
    4                 INT1=AGENOW-AGEFLOOR
    5                 LS9FACT=INT1*FACTOR9B+(1-INT1)*FACTOR9A
    6                 *   GET 6.5% FACTOR
    7                 DO TL(3)/TL(4)
    8                 LS65FCT=INT1*FACTOR6B+(1-INT1)*FACTOR6A
    9                 *   GET 6.5% IMMEDIATE FACTOR
   10                 DO TL(5)/TL(6)
   11                 IMM1196=INT1*FACTOR6D+(1-INT1)*FACTOR6C
   12                 *   GET ENHANCED CB ER FACTOR
   13                 ER2=VESTSVC+1.GE.15.AND.YOB.LT.46
                      ERF=1
        ER2           ERF=(1-((65-AGENOW)*.04))>.6
   16                 * CASH BALANCE & MIN LUMP SUM
   17                 CB123195=ACCBEN94*LS9FACT/ERF
   18                 PV123195=ACCBEN94*LS65FCT
   19                 *
   20                 * GET ER FACTOR AT 1/1/96
   21                 ER3=VESTSVC+1.GE.15
   22                 ER1196=(1-((65-AGENOW)*.06))>.4
   23   ER3           ER1196=(1-((65-AGENOW)*.04))>.6
   24                 * GET BENEFIT AMOUNTS
   25                 AGENOWLS=CB123195>PV123195
   26                 SLA65=ACCBEN94/12
   27                 JS6550ST=SLA65*.91
   28                 JS6575ST=SLA65*.87
   29                 JS6500ST=SLA65*.83
   30                 CL6560=SLA65*.98
   31                 CL65120=SLA65*.94
   32                 * GET IMMEDIATE BENEFITS (AT OR OVER 55)
   33                 SLANOW=SLA65*ER1196
   34                 JSNOW50=SLANOW*.91
   35                 JSNOW75=SLANOW*.87
   36                 JSNOW100=SLANOW*.83
   37                 CLNOW60=SLANOW*.98
   38                 CLNOW120=SLANOW*.94
                      * GET IMMEDIATE BENEFITS (UNDER 55)
                      UNDER=YOB.GE.42
   41   UNDER         SLAIMM=CB123195/IMM1196/12
   42   UNDER         JS50IMM=SLAIMM*.91
   43                 *--------------------------------------
   44                 MIN65LS=AC123195*10.24675
   45                 CB65LS=CB123195*((1.06)**(65-AGENOW))
   46                 AGE65LS=CB65LS>MIN65LS
   47                 *   CALCULATE BENEFICIARY AMOUNTS
   48                 BENNOW50=JSNOW50*.5
   49                 BENNOW75=JSNOW75*.75
   50                 BENNOW00=JSNOW100
```

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BC   BENEFIT CALCULATION

LINE	GROUP FIELD	STATEMENT	AS OF DATE LABEL
51		* CALCULATE PAYMENT DATE IN 1996	
52		MOP=1	
53		DOP=1	
54		YOP=96	
55		TURN55=YOB.EQ.41	
56	TURN55	MOP=MOB	
57	TURN55	XXXX=DOB.GT.15	
58	XXXX	MOP=MOB+1	
59	TURN55	THIR=MOP.EQ.13	
60	THIR	MOP=1	
61	THIR	YOP=97	

SC   SERVICE CALCULATION

LINE	DECIMAL YRS	YEARS	MONTHS	DAYS	DATE LABEL	DATE	SERVICE	TYPE SRVC	RNDG CODE	MAX YRS OF SRVC
1	AGEFLOOR				1) 2) $BIRTH	1 / 1 / 1996 / /			3	
2	AGEPLUS1				1) 2) $BIRTH	1 / 1 / 1997 / /			3	
3	AGENOW				1) 2) $BIRTH	1 / 1 / 1996 / /			2	
4	AGE2196				1) 2) $BIRTH	2 / 1 / 1996 / /			2	
5	AGFL2196				1) 2) $BIRTH	2 / 1 / 1996 / /			3	
6	AGPL2196				1) 2) $BIRTH	2 / 1 / 1997 / /			3	

TL   TABLE LOOKUP

LINE	RESULT FIELD	TABLE NAME	TABLE TYPE	LOOKUP FIELD
	FACTOR9A	GATT900	1	AGEFLOOR
	FACTOR9B	GATT900	1	AGEPLUS1
3	FACTOR6A	GATT650	1	AGEFLOOR
4	FACTOR6B	GATT650	1	AGEPLUS1
5	FACTOR6C	GATTIMM	1	AGEFLOOR
6	FACTOR6D	GATTIMM	1	AGEPLUS1

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CONTROL TOTALS
---------------
SCREEN      LINES           TOTAL
--------    -----           -----
DO            1             -97.
DO            1           -4092.
OP            1            2479.
OP            1            2551.
DL            1           -3193.
BC           61       -46455010.
SC            6          456059.
TL            6          101727.

TOTAL        78       -45899576.
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MMCALC                    DATE:  12/27/95    TIME:  12:24:31          PAGE    1

     EXACT TL:GATT900       EXACT TL:GATT900       EXACT TL:GATT650
21.000000     0.174 21.000000     0.174 21.000000     0.575 81.000000    5.361 81.000000    5.361 81.000000    5.959
22.000000     0.189 22.000000     0.189 22.000000     0.612 82.000000    5.157 82.000000    5.157 82.000000    5.710
23.000000     0.207 23.000000     0.207 23.000000     0.652 83.000000    4.957 83.000000    4.957 83.000000    5.466
24.000000     0.225 24.000000     0.225 24.000000     0.695 84.000000    4.761 84.000000    4.761 84.000000    5.229
25.000000     0.246 25.000000     0.246 25.000000     0.740 85.000000    4.567 85.000000    4.567 85.000000    4.997
26.000000     0.268 26.000000     0.268 26.000000     0.788 86.000000    4.376 86.000000    4.376 86.000000    4.769
27.000000     0.292 27.000000     0.292 27.000000     0.840 87.000000    4.187 87.000000    4.187 87.000000    4.546
28.000000     0.318 28.000000     0.318 28.000000     0.895 88.000000    4.001 88.000000    4.001 88.000000    4.327
29.000000     0.347 29.000000     0.347 29.000000     0.954 89.000000    3.816 89.000000    3.816 89.000000    4.113
30.000000     0.379 30.000000     0.379 30.000000     1.016 90.000000    3.636 90.000000    3.636 90.000000    3.904
31.000000     0.413 31.000000     0.413 31.000000     1.083
32.000000     0.450 32.000000     0.450 32.000000     1.154
33.000000     0.491 33.000000     0.491 33.000000     1.229
34.000000     0.535 34.000000     0.535 34.000000     1.310
35.000000     0.584 35.000000     0.584 35.000000     1.396
36.000000     0.637 36.000000     0.637 36.000000     1.488
37.000000     0.695 37.000000     0.695 37.000000     1.585
38.000000     0.758 38.000000     0.758 38.000000     1.690
39.000000     0.827 39.000000     0.827 39.000000     1.801
40.000000     0.902 40.000000     0.902 40.000000     1.920
41.000000     0.984 41.000000     0.984 41.000000     2.046
42.000000     1.074 42.000000     1.074 42.000000     2.182
43.000000     1.172 43.000000     1.172 43.000000     2.326
44.000000     1.279 44.000000     1.279 44.000000     2.481
45.000000     1.396 45.000000     1.396 45.000000     2.646
46.000000     1.524 46.000000     1.524 46.000000     2.822
47.000000     1.664 47.000000     1.664 47.000000     3.011
48.000000     1.818 48.000000     1.818 48.000000     3.213
49.000000     1.986 49.000000     1.986 49.000000     3.430
50.000000     2.170 50.000000     2.170 50.000000     3.662
51.000000     2.372 51.000000     2.372 51.000000     3.911
52.000000     2.593 52.000000     2.593 52.000000     4.177
53.000000     2.836 53.000000     2.836 53.000000     4.464
54.000000     3.102 54.000000     3.102 54.000000     4.772
55.000000     3.395 55.000000     3.395 55.000000     5.102
56.000000     3.717 56.000000     3.717 56.000000     5.457
57.000000     4.071 57.000000     4.071 57.000000     5.840
58.000000     4.460 58.000000     4.460 58.000000     6.251
59.000000     4.888 59.000000     4.888 59.000000     6.695
60.000000     5.361 60.000000     5.361 60.000000     7.174
61.000000     5.883 61.000000     5.883 61.000000     7.692
62.000000     6.460 62.000000     6.460 62.000000     8.253
63.000000     7.100 63.000000     7.100 63.000000     8.861
64.000000     7.810 64.000000     7.810 64.000000     9.524
65.000000     8.600 65.000000     8.600 65.000000    10.247
66.000000     8.425 66.000000     8.425 66.000000     9.996
67.000000     8.245 67.000000     8.245 67.000000     9.740
68.000000     8.060 68.000000     8.060 68.000000     9.479
69.000000     7.870 69.000000     7.870 69.000000     9.215
70.000000     7.675 70.000000     7.675 70.000000     8.947
71.000000     7.475 71.000000     7.475 71.000000     8.675
72.000000     7.271 72.000000     7.271 72.000000     8.401
73.000000     7.063 73.000000     7.063 73.000000     8.124
74.000000     6.851 74.000000     6.851 74.000000     7.846
75.000000     6.637 75.000000     6.637 75.000000     7.568
76.000000     6.422 76.000000     6.422 76.000000     7.290
77.000000     6.206 77.000000     6.206 77.000000     7.015
78.000000     5.991 78.000000     5.991 78.000000     6.744
79.000000     5.778 79.000000     5.778 79.000000     6.477
80.000000     5.568 80.000000     5.568 80.000000     6.215
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MMCALC                  DATE:  12/27/95    TIME:  12:24:31          PAGE    2

        EXACT TL:GATT650        EXACT TL:GATTIMM         EXACT TL:GATTIMM
     21.000000    0.575 21.000000    15.356 21.000000    15.356 81.000000     5.959 81.000000     5.959 81.000000     5.959
     22.000000    0.612 22.000000    15.324 22.000000    15.324 82.000000     5.710 82.000000     5.710 82.000000     5.710
     23.000000    0.652 23.000000    15.289 23.000000    15.289 83.000000     5.466 83.000000     5.466 83.000000     5.446
     24.000000    0.695 24.000000    15.253 24.000000    15.253 84.000000     5.229 84.000000     5.229 84.000000     5.229
     25.000000    0.740 25.000000    15.215 25.000000    15.215 85.000000     4.997 85.000000     4.997 85.000000     4.997
     26.000000    0.788 26.000000    15.174 26.000000    15.174 86.000000     4.769 86.000000     4.769 86.000000     4.769
     27.000000    0.840 27.000000    15.131 27.000000    15.131 87.000000     4.546 87.000000     4.546 87.000000     4.546
     28.000000    0.895 28.000000    15.086 28.000000    15.086 88.000000     4.327 88.000000     4.327 88.000000     4.327
     29.000000    0.954 29.000000    15.038 29.000000    15.038 89.000000     4.113 89.000000     4.113 89.000000     4.113
     30.000000    1.016 30.000000    14.987 30.000000    14.987 90.000000     3.904 90.000000     3.904 90.000000     3.904
     31.000000    1.083 31.000000    14.933 31.000000    14.933
     32.000000    1.154 32.000000    14.876 32.000000    14.876
     33.000000    1.229 33.000000    14.816 33.000000    14.816
     34.000000    1.310 34.000000    14.753 34.000000    14.753
     35.000000    1.396 35.000000    14.686 35.000000    14.686
     36.000000    1.488 36.000000    14.615 36.000000    14.615
     37.000000    1.585 37.000000    14.540 37.000000    14.540
     38.000000    1.690 38.000000    14.461 38.000000    14.461
     39.000000    1.801 39.000000    14.378 39.000000    14.378
     40.000000    1.920 40.000000    14.290 40.000000    14.290
     41.000000    2.046 41.000000    14.198 41.000000    14.198
     42.000000    2.182 42.000000    14.101 42.000000    14.101
     43.000000    2.326 43.000000    13.999 43.000000    13.999
     44.000000    2.481 44.000000    13.892 44.000000    13.892
     45.000000    2.646 45.000000    13.780 45.000000    13.780
     46.000000    2.822 46.000000    13.663 46.000000    13.663
     47.000000    3.011 47.000000    13.541 47.000000    13.541
     48.000000    3.213 48.000000    13.414 48.000000    13.414
     49.000000    3.430 49.000000    13.282 49.000000    13.282
     50.000000    3.662 50.000000    13.144 50.000000    13.144
     51.000000    3.911 51.000000    13.000 51.000000    13.000
     52.000000    4.177 52.000000    12.851 52.000000    12.851
     53.000000    4.464 53.000000    12.695 53.000000    12.695
     54.000000    4.772 54.000000    12.533 54.000000    12.533
     55.000000    5.102 55.000000    12.363 55.000000    12.363
     56.000000    5.457 56.000000    12.186 56.000000    12.186
     57.000000    5.840 57.000000    12.002 57.000000    12.002
     58.000000    6.251 58.000000    11.810 58.000000    11.810
     59.000000    6.695 59.000000    11.609 59.000000    11.609
     60.000000    7.174 60.000000    11.401 60.000000    11.401
     61.000000    7.692 61.000000    11.185 61.000000    11.185
     62.000000    8.253 62.000000    10.961 62.000000    10.961
     63.000000    8.861 63.000000    10.730 63.000000    10.730
     64.000000    9.524 64.000000    10.492 64.000000    10.492
     65.000000   10.247 65.000000    10.247 65.000000    10.247
     66.000000    9.996 66.000000     9.996 66.000000     9.996
     67.000000    9.740 67.000000     9.740 67.000000     9.740
     68.000000    9.479 68.000000     9.479 68.000000     9.479
     69.000000    9.215 69.000000     9.215 69.000000     9.215
     70.000000    8.947 70.000000     8.947 70.000000     8.947
     71.000000    8.675 71.000000     8.675 71.000000     8.675
     72.000000    8.401 72.000000     8.401 72.000000     8.401
     73.000000    8.124 73.000000     8.124 73.000000     8.124
     74.000000    7.846 74.000000     7.846 74.000000     7.846
     75.000000    7.568 75.000000     7.568 75.000000     7.568
     76.000000    7.290 76.000000     7.290 76.000000     7.290
     77.000000    7.015 77.000000     7.015 77.000000     7.015
     78.000000    6.744 78.000000     6.744 78.000000     6.744
     79.000000    6.477 79.000000     6.477 79.000000     6.477
     80.000000    6.215 80.000000     6.215 80.000000     6.215
```

MMCALC   DATE: 12/27/95   TIME: 12:24:31   PAGE   3

    DICTIONARY OF FIELDS IN '$WRK'-

          FIELD
          NAME   LENGTH TYPE DEC   DESCRIPTION

    113   $BIRTH   8   N   0   DATE LABEL
    114   AGEFLOOR   9   N   6   RESULT FIELD
    115   AGEPLUS1   9   N   6   RESULT FIELD
    116   AGENOW   9   N   6   RESULT FIELD
    117   AGE2196   9   N   6   RESULT FIELD
    118   AGFL2196   9   N   6   RESULT FIELD
    119   AGPL2196   9   N   6   RESULT FIELD
    120   FACTOR9A   9   N   3   RESULT FIELD
    121   FACTOR9B   9   N   3   RESULT FIELD
    122   FACTOR6A   9   N   3   RESULT FIELD
    123   FACTOR6B   9   N   3   RESULT FIELD
    124   FACTOR6C   9   N   3   RESULT FIELD
    125   FACTOR6D   9   N   3   RESULT FIELD
    126   INT1   9   N   3   RESULT FIELD
    127   LS9FACT   9   N   3   RESULT FIELD
    128   LS65FCT   9   N   3   RESULT FIELD
    129   IMM1196   9   N   3   RESULT FIELD
    130   ER2   1   N   0   RESULT FIELD
    131   ER3   1   N   0   RESULT FIELD
    132   UNDER   1   N   0   RESULT FIELD
    133   MIN65LS   9   N   3   RESULT FIELD
    134   AC123195   9   N   3   OPERAND
    135   CB65LS   9   N   3   RESULT FIELD
    136   AGE65LS   9   N   3   RESULT FIELD
    137   TURN55   1   N   0   RESULT FIELD
    138   XXXX   1   N   0   RESULT FIELD
    139   THIR   1   N   0   RESULT FIELD

MMCALC   DATE: 12/27/95   TIME: 12:24:31   PAGE   4

   1 RECORDS PROCESSED

BC LINE #   NUMBER PROCESSED   NUMBER OVERFLOWS

BC LINE #	NUMBER PROCESSED	NUMBER OVERFLOWS
1	1	0
3	1	0
4	1	0
5	1	0
7	1	0
8	1	0
10	1	0
11	1	0
13	1	0
14	1	0
15	1	0
17	1	0
18	1	0
21	1	0
22	1	0
23	1	0
25	1	0
26	1	0
27	1	0
28	1	0
29	1	0
30	1	0
31	1	0
33	1	0
34	1	0
35	1	0
36	1	0
37	1	0
38	1	0
40	1	0
41	0	0
42	0	0
44	1	0
45	1	0
46	1	0
48	1	0
49	1	0
50	1	0
52	1	0
53	1	0
54	1	0
55	1	0
56	0	0
57	0	0
58	0	0
59	0	0
60	0	0
61	0	0